

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re: Joshua Leroy Moore,

Debtor.

Joshua Leroy Moore,

Plaintiff,

vs.

Nelnet, Inc.,

U.S. Department of Education,

Defendants.

_____/

Case No. 22-50069

Chapter 7

Hon. Maria L. Oxholm

Adv. Pro. No. 23-04080

**STIPULATION TO DISMISSAL OF ADVERSARY PROCEEDING
AGAINST UNITED STATES DEPARTMENT OF EDUCATION, ONLY,
WITHOUT PREJUDICE**

The Plaintiff, Joshua Leroy Moore, and the Defendant, United States Department of Education, hereby stipulate to the following:

WHEREAS on February 9, 2023, Joshua Leroy Moore, (“Plaintiff”), commenced the above captioned adversary proceeding against United States Department of Education (“Defendant”), in the United States Bankruptcy Court for the Eastern District of Michigan, Southern Division; and

WHEREAS based upon information exchanged between Defendant and Plaintiff regarding Plaintiff’s educational loans, Defendant requested that the Plaintiff dismiss the Adversary Proceeding as the United States Department of

Education does not currently hold student loans for the Plaintiff; and

WHEREAS to not burden this Court and Defendant with trial preparation, the Plaintiff and Defendant hereby stipulate to entry of the attached Order Dismissing the United States Department of Education ONLY from the adversary proceeding Without Prejudice.

DAWN N. ISON
United States Attorney

/s/Joshua Leroy Moore-With Consent

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Pro Se

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Dated: March 2, 2023

/s/John Postulka

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Dated: March 2, 2023

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**ORDER OF DISMISSAL AS TO
THE UNITED STATES DEPARTMENT OF EDUCATION, ONLY,
WITHOUT PREJUDICE**

Joshua Leroy Moore (“Plaintiff”), and the United States Department of Education (“Defendant”), as parties to this action, having stipulated pursuant to Fed. R. Civ. P. 41 to dismissal of this action without prejudice, it is hereby ORDERED that:

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and Fed. R. Bankr. P. 7041, Plaintiff’s claims against the Defendant United States Department of Education in the Adversary Proceeding are dismissed without prejudice and without costs against any party.

Exhibit 1